

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

May 6, 2004

MINUTES

**THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.**

The Regional Council of the Southern California Association of Governments held its meeting at the Hyatt Regency Hotel downtown Los Angeles. The meeting was called to order by the President, Councilmember Bev Perry, City of Brea. There was a quorum.

**Members Present**

Councilmember Bev Perry, Brea, President	District 22
Councilmember Ron Roberts, Temecula, 1 <sup>st</sup> VP	District 5
Supervisor Hank Kuiper, Imperial County, 2 <sup>nd</sup> VP	
Supervisor Marion Ashley, Riverside County	
Supervisor Chirs Norby, Orange County	
Councilmember Jo Shields, Brawley	District 1
Councilmember Greg Pettis, Cathedral City	District 2
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Mayor Ron Loveridge, Riverside	District 4
Mayor Lee Ann Garcia, Grand Terrace	District 6
Councilmember Susan Longville, San Bernardino	District 7
Councilmember Deborah Robertson, Rialto	District 8
Mayor Bill Alexander, Rancho Cucamonga	District 9
Mayor Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Ron Bates, Los Alamitos	District 20
Councilmember Art Brown, Buena Park	District 21
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Isadore Hall, Compton	District 26
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Bonnie Lowenthal, Long Beach	District 29

### **Members Present – Cont'd**

Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Mayor Pro Tem Bea Proo, Pico Rivera	District 31
Councilmember Dick Stanford, Azusa	District 33
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Tom Sykes, Walnut	District 37
Councilmember Llewellyn Miller, Claremont	District 38
Councilmember Paul Nowatka, Torrance	District 39
Councilmember Pam O'Connor, Santa Monica	District 41
Councilmember Bob Yousefian, Glendale	District 42
Councilmember Dennis Washburn, Calabasas	District 44
Mayor Toni Young, Port Hueneme	District 45
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Ted Burgnon, Town of Apple Valley	District 65

### **Members Not Present**

Supervisor Judy Mikels, Ventura County	
Supervisor Zev Yaroslavsky, LA County	
Supervisor Paul Biane, San Bernardino County	
Supervisor Yvonne Burke, LA County	
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Mike Dispenza, Palmdale	District 43
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Tony Cardenas, Los Angeles	District 53
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Bernard Parks, Los Angeles	District 55
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Nate Holden, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Greig Smith, Los Angeles	District 59
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Antonio Villariagosa, Los Angeles	District 61
Councilmember Janice Hahn, Los Angeles	District 62
Mayor James Hahn, Los Angeles	At-Large

Mayor Bill Davis, Simi Valley  
Councilmember Robin Lowe, Hemet

VCTC  
RCTC

**Staff Present**

Mark Pisano, Executive Director  
Jim Gosnell, Deputy Executive Director  
Bert Becker, Chief Financial Officer  
Colin Lennard, General Counsel  
Karen Tachiki, Chief Counsel  
Hasan Ikrata, Director, Planning & Policy  
Huasha Liu, Acting Director, Information Services  
Shelia Stewart, Executive Assistant

**1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Led by Councilmember Harry Baldwin, City of San Gabriel.

**2.0 PUBLIC COMMENT PERIOD**

There were no comments presented at this time.

**SPECIAL PRESENTATION**

President Perry recognized Bert Becker for his service as Chief Financial Officer and presented a plaque upon his retirement.

**3.0 CONSENT CALENDAR**

The following consent calendar items were MOVED (Gurule), SECONDED (Bone) and UNANIMOUSLY APPROVED

**3.1 Approval Items**

3.1.1 Approve Minutes of April 1, 2004

3.1.2 Contract Amendment

- Judith Norman Transportation Consultant

3.1.3 Approval of Bi-State Transportation Technical Advisory Steering Board Budget

3.1.4 MOU between SCAG & RCTC

3.1.5 Consensus Program Appropriations Additions

### **3.2 Receive & File**

3.2.1 Contracts & PO between \$5,000 - \$25,000

3.2.2 Conflict of Interest Listing

3.2.3 SCAG Legislative Matrix

### **3.3 PRESIDENT'S REPORT**

3.3.1 Appointments

District # 6 Hon. Lee Ann Garcia, Grand Terrace (Re-elected)  
District # 8 Hon. Deborah Robertson, Rialto (Re-elected)  
District # 10 Hon. Gary Ovitt, Ontario (Re-elected)  
District # 24 Hon. Gene Daniels, Paramount (Re-elected)  
District # 26 Hon. Isadore Hall III, Compton (Re-elected)

#### **Subregional Representatives to Policy Committees**

##### **Las Virgenes Malibu COG**

To CEHD: Hon. Susan McSweeney, Westlake Village  
To TCC: Hon. Mark Rutherford, Westlake Village

##### **Gateway Cities COG**

To CEHD: Hon. Daryl Hofmeyer, Paramount

##### **San Gabriel Valley COG**

To EEC: Hon. Antonio Portantino, La Canada Flintridge

3.3.2 Election of 2004 SCAG Officers

The Nomination Committee recommended the following: Ron Roberts, Temecula, as President; Hank Kuiper, Imperial County, 1<sup>st</sup> VP and Toni Young, Port Hueneme, 2<sup>nd</sup> VP.

It was MOVED (Ridgeway), SECONDED (Hall) and UNANIMOUSLY APPROVED to approve the aforementioned as the 2004 SCAG Officers.

### **3.4 EXECUTIVE DIRECTOR'S REPORT**

Mark Pisano gave a brief overview on accomplishments during the month of May. Regarding Reauthorization of TEA-21, he reported that on April 2<sup>nd</sup> the House of Representatives voted to pass HR3550, known as TEA-LU which authorizes the federal surface transportation program.

Jim Gosnell gave to the Budget Subcommittee #5 testimony on the transportation portion of the proposed State Budget recommending retention of Prop 42 funding and describing implications of proposed budget cuts on conformity in the region.

On April 14<sup>th</sup> Councilmember Perry, Councilmember Roberts and Councilmember Bates led SCAG's legislative advocacy day in Sacramento. The trip consisted of a day of meetings with legislators and administration officials to convey SCAG's message about the negative impact of the Governor's proposed transportation budget cuts. Mr. Pisano, Mr. Gosnell & Mr. Rhodes as well as SCAG's Sacramento lobbyists participated. BT&H Secretary Sunny McPeak and several members joined the SCAG delegation for lunch and is very supportive of SCAG initiatives.

A SCAG/SANDAG meeting has been scheduled for May 27<sup>th</sup>. The meeting will take place at Temecula Creek Inn from 10 a.m – 2 p.m. to discuss SCAG's aviation strategy, SANDAG's commuter rail strategy and both agencies' perspectives on the Housing.

#### **4.0     ACTION ITEMS**

##### **4.1     Administration Committee Report**

###### **4.1.1   Adopt Resolution #04-452-1 Approving the Final FY 2004-2005 Overall Work Program**

The OWP contains several sources of revenue. The major source is the Consolidated Planning Grant (CPG) which is the primary revenue used to meet SCAG's MPO requirements and address the Federal Planning Emphasis Areas (PEA's) of Federal and State Departments of Transportation. There are other significant grants included (e.g. Federal Railroad Administration for Maglev and Federal Aviation Administration for aviation planning).

The Administration Committee recommended adoption of Resolution #04-452-1, supporting the FY 2004-05 Overall Work Program and Budget with an amendment to have the Audit Committee review work program issues in an oversight role, and submit to Caltrans and other funding agencies as necessary for approval.

It was MOVED (Dixon), SECONDED (Pettis) and UNANIMOUSLY APPROVED to waive reading and adopt Resolution 04-452-1 as amended by the Administration Committee.

###### **4.1.2   Merit Pay Program**

The Personnel Committee met on April 21, 2004 and considered an extension of the program to all employees. The committee agreed that all employees should be evaluated and compensated based on the merit of their performance. It was further emphasized that the only the way the program is going to be successful is by the degree of management involvement and proper controls in the system.

They recommended a two-year pilot program extending the merit pay program to all employees in June 2004. Staff was directed to make sure that the program allows for the compensation to vary from year to year depending on budget and other factors.

The Administration Committee recommended approving the Merit Pay Program. It was MOVED (Dixon), SECONDED (Bates).

Councilmember Tyler expressed concerns regarding the merit pay program. He felt the percentages outlined in the report did not appear to be enough compensation for outstanding and above average employees, as well as encouraging employees to perform at a higher level. He felt that this issues is an important factor in attracting and retaining employees. He opposed the merit pay program.

Mayor Young felt that lump sum payments are not calculated as part of the PERS (retirement system). She stated if SCAG is to be competitive it needs to find a way to make program more equitable for employees as to allow their pay to be included as part of PERS for a better retirement.

Councilmember Duke was concerned regarding incremental salary steps in between. She stated that most city agencies operate with incremental salary steps. Salary steps would allow employees to advance to next step within their salary range. This process should be considered during the next phase. There were 35 AYES and 2 NOES. The motion passed.

4.2 **Energy & Environment Committee (EEC) Report**

No report

4.3 **Transportation & Communications Committee (TCC) Report**

No report.

4.5 **Communications Task Force Report**

The Task Force received the draft Communications Strategy update for review and discussion. The revised strategy will be brought back to the Task Force in June.

Members previewed the Annual Report which now reflects the “SCAG’s program year” that runs from one General Assembly to the next, encompassing the President’s term of office. This edition is meant to showcase accomplishments, highlight initiatives, and be used as a reference document. In the future, consideration of an electronic version instead of a printed book is being reviewed.

A member benefits brochure is also being developed to help members understand their benefits for participating in SCAG. It will be available early in the new

fiscal year. Members suggested that input from elected officials be sought from member and non-member jurisdictions during this process.

Staff is currently re-designing the navigation system for the website to make it easier for visitors to use. Enhancements will be phased in and implementation will occur in the new fiscal year.

A SCAG Region Pocket Guide has been developed and provides facts about the region and folds to the size of a business card. Copies are available

## **5.0 INFORMATION ITEMS**

### **5.1 Monthly Financial Report**

Bert Becker informed the Committee that SCAG is doing very well at this time of the year, cash flow is improved. SCAG is also reducing the use of Line of Credit, which reduces the amount of interest costs.

### **5.2 Presentation on Office Space Enhancements**

Held over.

### **5.3 Presentation of Results from the Data Needs Survey**

Held over.

## **6.0 FUTURE AGENDA ITEMS**

None requested.

## **7.0 LEGAL COUNSEL REPORT**

It was MOVED, SECONDED and UNANIMOUSLY APPROVED to enter into closed session on the following items:

### **7.1 Closed Session**

- HDR Appeal  
Conference with Legal Counsel – anticipated litigation  
Significant exposure to litigation pursuant to California  
Government Code Subdivision C §54956.9 (one potential case)
- Morrison v. SCAG  
Conference with Legal Counsel Government Code  
section 54956.9(a) Morrison v. Southern California  
Association of Governments et al. Superior Court,  
Los Angeles County, Case No. BC 312066

- Performance Evaluation of Executive Director  
Pursuant to California Government Code  
§54957 b(1)

Returning to open session:

Staff was authorized to seek a legislative solution regarding HDR.

Legal Counsel was provided instructions with regard to settlement discussion and the RC voted to provide indemnification for the individual defendants in the Morrison case.

The following items were not discussed.

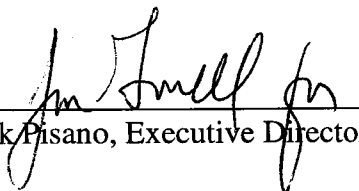
- Deanna Wetherbee-Distel et al. vs. City of Riverside;  
County of Riverside; Riverside County Transportation  
Commission; Riverside County Flood Control and Water  
Conservation District; Southern California Association of  
Governments; Riverside Transit Agency; Western Municipal  
Water District
- SCAG v. HCD & BT&H

## 8.0 ANNOUNCEMENTS

The E Region (NARC) Newsletter was emailed to all members. Additional copies will be available at the meeting.

## 9.0 ADJOURNMENT

The next meeting is scheduled for June 3, 2004 in conjunction with the Annual Retreat @ Temecula Creek Inn in Temecula, California.

  
Mark Pisano, Executive Director